



FEES REGULATING AUTHORITY

Maharashtra Unaided Private Professional Educational Institutions
(Regulation of Admissions and Fees)

"शिक्षण-नव्वेव्यवसाय -ज्ञान यज्ञ"

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Minutes of Meeting of Authority

Dt. 06/01/2022

The Meeting of the Fees Regulating Authority (constituted under section 11(2)(3)(4) of the Maharashtra Unaided Private Professional Educational Institutions (Regulation of Admissions and Fees) Act, 2015) held on **06th January, 2022** in the Conference Hall, Room No. 305, Government Polytechnic Building, 49 Kherwadi, Ali Yawar Jung Marg, Bandra (E), Mumbai - 400 051.

Following were present:

1.	Hon'ble Justice V.L. Achliya (Retd.)	:	Chairperson
2.	Dr. Vijay Vasant Khole, Ex-Vice Chancellor, Mumbai University.	:	Member
3.	Shri. Manoj Damodar Chandak, Chartered Accountant	:	Member
4.	Shri. Ratanakar (Shirish) Phadtare, Cost Accountant through video conferencing	:	Member
5.	Shri. Dharmendra Dilip Mishra, Professional Educationist.	:	Member
6.	Shri. Ravindra S. Jagtap, IAS through video conferencing	:	Secretary
7.	Dr. Sunil Lilani, OSD representative of Directorate of Medical Education and Research (DMER)	:	Invitee
8.	Mr. Abhijit Deole, Consultant, representative of Maharashtra Information Technology Corporation Ltd.(Maha-IT)	:	Invitee

Dr. K.D. Chavan, Registrar, Maharashtra University of Health Science, Nashik & Shri. Vishwajit Mane IAS, Member Secretary of Maharashtra Council of Agricultural Education of Research, Pune (MCAER) the ex-officio members of the Authority, their presence is dispense for a day.

Dr. Abhay E. Wagh, The Director, Technical Education, Mumbai & Dr. Dhanraj Mane, The Director, Higher Education, Pune the ex-officio members of the Authority are absent.

Part-III**Item No.1:**

To consider the request of the Institutes/Colleges received for verification of fees on Maha-D.B.T. portal for the academic year 2021-2022.

"Discussed.

The number of Private Institutions running unaided professional courses has sent request letters to the Fees Regulating Authority to verify the fees on the portal of Maha-D.B.T for the academic year 2021-2022 to enable them to receive the benefits of reimbursement of fees/scholarship under the schemes of the government.

In order to resolve the issue the letter dated 3/01/2022 was sent to the Director Medical Education and Research Government of Maharashtra, Director Technical Education Government of Maharashtra & The Director Maharashtra Information Technology Corporation Limited to personally attend the meeting fixed on 6th January 2022 at 3:00 pm.

The Director of Technical Education though requested to personally attend the meeting to sort out the issue opted to remain absent. Dr. Sunil Lilani the officer on special duty attended the meeting as a representative of the Directorate of Medical Education and Research D.M.E.R. He expressed that the Directorate of Medical Education and Research D.M.E.R. have no problem in verifying the fees on the portal of Maha-D.B.T. by cross-checking the information available on the web portal of Fees Regulating Authority the link to access the portal made available to their department by the Director of Maharashtra Information Technology Corporation Ltd. (Maha-IT). He expressed that the pending work relating to the verification of fees seeking a scholarship for the academic year 2021-2022 can be carried out by their department within one week from the date link made available to their department.

The Director of Maharashtra Information Technology Corporation Ltd. (Maha-IT) deputed Mr. Abhijit Deole, the consultant to attend the meeting. He expressed that the link can be made available to D.T.E. & D.M.E.R. to verify the fees approved by Fees Regulating Authority for the academic year 2021-2022 but for that purpose, at least four weeks time will be required. He submit that to provide a link to D.T.E. & D.M.E.R.



some modifications to be made out in the server. The flow diagram/chart will have to be changed.

In order to regulate the admissions and fees of unaided private professional educational institutions, the State Government has enacted the legislation which is known as Maharashtra Unaided Private Professional Educational Institutions (Regulation of Admissions and Fees) Act, 2015 (hereinafter referred to as "the said Act"). Section 13 (1) of said Act prescribes the statutory functions to be discharged by the Fees Regulating Authority, which reads as under;

"Section 13, (1) The Fees Regulating Authority shall perform the following functions, namely:—

(i) to determine the reasonableness of fees levied by unaided institutions on the basis of the factors specified in section 15; and to verify whether the fees so levied does not amount to profiteering or charging of capitation fees within the meaning of clause (a) of section 2 of the Maharashtra Educational Institutions (Prohibition of Capitation Fees) Act, 1987 ;

(ii) scrutiny and verification of fee proposals of the unaided institutions and final approval thereof ;

(iii) to evolve the mechanism for verification of infrastructure facilities and amenities and to undertake the verification of such facilities and amenities ;

(iv) to undertake research studies, at such intervals as the Fees Regulating Authority may deem fit, for determining the professional coursewise expenses required to be made per student, for the unaided institutions in accordance with the mandatory guidelines of the appropriate authority concerned; and

(v) to undertake measures for the redressal of grievances of the Stake-holders".

Thus, the statutory functions to be discharged by the Fees Regulating Authority constituted under the Act of 2015 restricts to decide the reasonableness of fees to be charged by the Unaided Private Professional Educational Institutions. The Fees Regulating Authority is not concerned with the claim made by any students or institutions seeking reimbursement of fees. The applications seeking reimbursement of fees under the various schemes of government are to be dealt with and decided by concerned department of government.



In the year 2018, the State Government has taken an administrative decision to transfer the benefits under the various schemes of Government directly in the bank account of the eligible person/beneficiary. For said purpose, portal has been developed which is known as the Maharashtra State Direct Benefit of Transfer and services portal (Maha-D.B.T). The said portal is run, managed and operated by the Department of Directorate of Information Technology, State of Maharashtra.

As per Government GR dated 12/10/2018, the Directorate of Technical Education (D.T.E), Directorate of Medical Education and Research (D.M.E.R.), Directorate of Higher Education (D.H.E), Maharashtra Council of Agricultural Education of Research (M.C.A.E.R) Pune and the Maharashtra State Board of Nursing and Paramedical Education (M.S.B.N.P.E) are the concern departments of the State Government to process the applications seeking released of benefits under the various schemes of Government received in their respective departments from students or institutions for reimbursement of fees/ scholarship. The verification of fees claimed in the application on the basis of fees approved by the Fees Regulating Authority is part of scrutiny to be made by the concerned department.

The work relating to verification of fees in respect of Technical Courses such as B.E., M.E., M.B.A./M.M.S., MCA, Hotel Management & Catering Technology, B.Arch., B. Pharmacy, Master of Pharmacy, Doctorate of Pharmacy needs to be carried out by the Directorate of Technical Education (D.T.E). The work relating to verification of fees of M.B.B.S., MD/MS, B.D.S, M.D.S, B.A.M.S, B.H.M.S., B.U.M.S., Physiotherapy, B.Sc. Nursing, M.Sc. Nursing, Post B.Sc. Nursing etc needs to be carried out by the department of the Directorate of Medical Education and Research (D.M.E.R.).

The Directorate of Higher Education verify the fees of L.L.B. III years & L.L.B. V years course while dealing with applications received to their department from students or institutions seeking release of scholarship under the various schemes of the government. Similarly the verification of fees in respect of B.Sc. (Agriculture), B.Sc. (Forestry), B.Sc.

(Horticulture), B.Tech. (Agriculture Engineering), B.Tech (Food Technology), M.B.A (Agri.), B.Tech (Bio-Technology), courses carried out by the Maharashtra Council of Agricultural Education of Research (M.C.A.E.R) Pune, while processing the applications received from the students or institutions seeking the release of the benefit of scholarship under various schemes of the government. The work relating to verification of fees in respect of the claim for scholarship received from students/institutions in respect of RANM & RGNM course on the portal of Maha-D.B.T is carried out by the Maharashtra State Board of Nursing and Paramedical Education (MSBNPE) while processing such applications in their department. So also the work relating to verification of fees on the portal of Maha-D.B.T in respect of Diploma in Engineering, Diploma in Pharmacy and Diploma in Hotel Management & Catering Technology courses are carried out by the Directorate of Technical Education (D.T.E) while processing the applications received in their department for released of benefit under the various schemes of government including a scholarship from students/institutions. In that view, the applications received for release of benefits under various schemes of the government by the Directorate of Technical Education (D.T.E) in respect of graduate and postgraduate technical courses affiliated to their department the verification of fees needs to be carried out by D.T.E while processing such applications. Similarly, the application received for release of scholarship in respect of graduate and post-graduate Health & Science courses affiliated to the Directorate of Medical Education & Research (D.M.E.R) needs to be carried out by D.M.E.R while processing these applications. The data in respect of fees approved by the Fees Regulating Authority is readily available to D.T.E. & D.M.E.R. on the portal of the Fees Regulating Authority to verify the fees approved by the Fees Regulating Authority.

The Secretary of the Fees Regulating Authority vide letter dated 15/1/2021 brought to the notice of the Principal Secretary Information Technology, Government of Maharashtra, that the Fees Regulating Authority is not a concern department to deal with applications seeking reimbursement of fees under the schemes of Government. It was also



pointed out that the role of Fees Regulating Authority under the Act of 2015 confines to decide the reasonableness of fees claimed by the Unaided Private Professional Educational Institutions. It was also pointed out that the work relating to verification of fees claimed by the beneficiary, is necessary to be carried out by the concerned department while dealing with and processing the applications seeking benefit under the Scheme of the Government. The Principal Secretary Information Technology Department was requested to issue necessary direction to the concerned departments as well as the Department of Social Justice & Special Assistance Department, to undertake the exercise to verify the fees on the portal of Maha-D.B.T from the academic year 2020-2021 & onwards. However, no steps were taken at the level of the Principal Secretary of the Directorate of Information Technology, Government of Maharashtra. In order to avoid the hardship being caused to students & the institutions, the verification of fees for the academic year 2020-2021 on the portal Maha-D.B.T. was carried out by the Fees Regulating Authority. It was expected on the part of the concerned departments, to have made the necessary arrangements to verify the fees on the portal of Maha-D.B.T from the academic year 2021-2022 & onwards.

The Fees Regulating Authority is of the considered opinion that the verification of fees on the portal of Maha-D.B.T. is the responsibility of the concerned departments which receive process decide the applications seeking scholarship made by student or Institution under the schemes of the Government. The Fees Regulating Authority is in no way concerned with reimbursement of fees made by the students or the Institutions. The role of the Fees Regulating Authority confines to deals with the proposals seeking approval of fees received from Unaided Private Professional Colleges & finalized the same. Once the fee is approved same is notified by the Fees Regulating Authority to the individual institution as well as put under public domain by publishing the same on the web portal of the Fees Regulating Authority. While processing the applications seeking benefit under the various schemes of government including scholarship the Department concerned can verify the claim made in such applications



by accessing the information available on the web portal of the Fees Regulating Authority.

The Authority is of the firm view once the fees are determined and notified to concerned institutions and displayed on the portal of the Fees Regulating Authority, it is the responsibility of the concerned Departments of the Government to verify such claims made by cross-checking information from the information available on the portal of Fees Regulating Authority. The Fees Regulating Authority is not concerned with claims made by the Institutions seeking reimbursement of fees under the schemes of Government. The Fees Regulating Authority has been unnecessarily involved in the process. The Fees Regulating Authority is not in a position to spare the services of its staff to undertake the work of verification of fees involving more than 3000 institutions in the State. The routine work of the Fees Regulating Authority has been affected due to the Pandemic of Covid-19. From 18th March 2021 to 17th July 2021 there was no Authority in existence as the tenure of the earlier Authority has come to an end on 18/3/2021. The Authority reconstituted vide notification dated 18/7/2021 started its regular functioning from the month of August 2021. The thousands of proposals seeking approval of fees for the academic year 2020-2021 and 2021-2022 were pending for consideration of the newly constituted Authority. The Fees Regulating Authority is suffering from a severe shortage of staff. Out of 23 posts sanctioned by the Government and most of which are to be filled in by appointment by way of the deputation from the Mantralaya are lying vacant. Not a single person posted on deputation. The Fees Regulating Authority is managing its work with the help of 7-8 staff appointed on a contract basis. In that view also it is not possible to spare the services of contractual staff for the verification of fees on the portal of Maha-D.B.T. The Secretary of Fees Regulating Authority vide letter dated 15/1/2021 requested the Principal Secretary Information & Technology Department to instruct to concern department to undertake the verification of fees on the portal of Maha-D.B.T. from the academic year 2020-2021 while processing the applications received in their respective departments for release of benefits under schemes of Government. Although the period of



more than one year has lapsed no action has been taken on the part of the Department of Information Technology.

In view of the above, it was decided that no work relating to verification of fees on the portal of Maha-D.B.T is to be carried out by the Fees Regulating Authority from the academic year 2021-2022 & onwards. The work relating to the verification of fees from the academic year 2021-2022 & onwards is to be carried out by the Directorate of Technical Education (D.T.E) in respect of technical courses and the Directorate of Medical Education and Research (D.M.E.R.) in respect of Health & Science courses. The Department of Information Technology, Government of Maharashtra & the Director of Maharashtra Information Technology Corporation Ltd. (Maha-IT) shall take necessary steps within four weeks to change the flow diagram so as to provide a link to the Directorate of Technical Education (D.T.E) & the Directorate of Medical Education and Research (D.M.E.R) so as to enable them to verify the fees claimed by the beneficiary in their applications seeking scholarship made to said departments.

A copy of the minutes be sent to all concerned.

Let the follow-up action be taken accordingly."



JUSTICE VIJAY L. ACHLIYA (RETD.)
CHAIRPERSON
FEES REGULATING AUTHORITY
STATE OF MAHARASHTRA